

**Enrolled Minutes of the Twenty-sixth Regular or Special Meeting
For the Twenty-Seventh Highland Town Council
Regular Meeting
Monday, December 10, 2012**

Study Session. The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, December 10, 2012 at 6:40 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Mark Herak, Dan Vassar, Brian Novak, and Bernie Zemen were present. Councilor Konnie Kuiper was absent. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent regular meeting.
2. The Town Council discussed the proposed changes to the Main Street Bureau Board of Directors.

The study session ended at 6:50 O'clock p.m.

Regular meeting. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, December 10, 2012 at 7:00 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Bernie Zemen, presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Town Councilor Vassar reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Mark Herak, Dan Vassar, Brian Novak, and Bernie Zemen. Councilor Konnie Kuiper was absent. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

(Councilor Konnie Kuiper arrived at 7:20 p.m. and participated in one vote.)

Additional Officials Present: Rhett L. Tauber, Town Attorney; John M. Bach, Public Works Director; Peter Hojnicki, Metropolitan Police Chief; Kenneth Mika, Building Commissioner; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; William R. Timmer, Jr., CFOD, Fire Chief; and Cecile Petro, Redevelopment Director were present.

Minutes of the Previous Meetings:

The minutes of the regular meeting of November 26, 2012 were approved by general consent.

Staff Reports:

• Building & Inspection Report for November 2012

Permit	Number.	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	5	0	5	\$98,300.00	\$2,124.50

Signs:	0	0	0	\$0.00	\$0.00
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	0	0	0	\$0.00	\$0.00
Residential Remodeling:	93	93	0	\$642,600.00	\$11,423.50
Garages:	0	0	0	\$0.00	\$0.00
Sheds:	2	2	0	\$2,575.00	\$265.00
Decks & Porches:	4	4	0	\$8,890.00	\$587.00
Fences	5	5	0	\$9,178.00	\$491.50
Swimming Pools	0	0	0	0	\$0.00
DrainTile / Waterproofing	4	4	0	\$36,134.00	\$666.00
Misc.	1	0	1	\$0.00	\$120.00
TOTAL:	119	108	11	\$844,492.00	\$17,289.00
Electrical Permits	12	10	2		\$1,564.50
Mechanical Permits	5	4	1		\$459.50
Plumbing Permits	10	8	2		\$1,002.45
Water Meters	0	0	0		\$0.00
Water Taps	0	0	0		\$0.00
Sewer/Storm Taps	0	0	0		\$0.00
TOTAL Plumbing:	10	8	2		\$1,002.45

November Code Enforcement:

Investigations: 65
Citations: 3

November Inspections:

Building: 55 Electrical: 37 Plumbing: 11 HVAC: 4
Electrical Exams: 3

• Fire Department Report for November 2012

No report was filed. Will be taken up first meeting of 2013

	Month	2nd half of yr.
General Alarms		
Still Alarms		
Paid still alarms		
Total:		

• Workplace Safety Report for November 2012

There was one incident. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2012	Total in 2011	Restricted Days 2012	Lost Workdays This Year	Restricted Days Last Year (2011)	Lost Workdays Last Year (2011)
Parks	0	0	0	0	0	0	0
Fire	0	0	1	0	0	1	0
Police	1	10	3	0	0	0	0
Street	0	6	5	0	0	16	0

Water & Sewer	0	4	4	2	0	4	77
Maint.	0	1	1	0	0	11	0
Other	0	0	2	0	0	0	0
TOTALS	1	21	16	2	0	32	77

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

Unfinished Business and General Orders:

- 1. Proposed Ordinance No. 1528:** An Ordinance to Amend the Highland Municipal Code, Establishing and Authorizing a Highland Main Street Bureau, Repealing All Ordinances in Conflict Therewith, and Declaring an Emergency

Councilor Vassar introduced and moved the consideration at the same meeting of introduction of Ordinance No. 1528. Councilor Herak seconded. Upon a roll call vote, a unanimous vote being necessary, there were four affirmatives and no negatives. The motion passed. Ordinance No. 1528 could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption of Ordinance No. 1528 at the same meeting of introduction. Councilor Vassar seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmatives and no negatives. The motion passed. Ordinance No. 1528 was passed and adopted at the same meeting of its introduction.

**ORDINANCE No. 1528
of the
TOWN of HIGHLAND, INDIANA**

**AN ORDINANCE to AMEND the HIGHLAND MUNICIPAL CODE, ESTABLISHING AND
AUTHORIZING A HIGHLAND MAIN STREET BUREAU, REPEALING ALL ORDINANCES in
CONFLICT THEREWITH, and DECLARING an EMERGENCY**

WHEREAS, I.C. 36-1-3-4(b) specifically provides that a unit of local government has all powers granted it by statute and all other powers necessary or desirable in the conduct of its affairs, even though not granted by statute; and

WHEREAS, IC 36-7-4 specifically provides that a unit of local government shall govern planning and development according to its terms and provisions;

WHEREAS, The Town Council has previously adopted the provisions of IC 36-7-4 establishing a plan commission and IC 36-7-14 establishing a redevelopment commission;

WHEREAS, The Highland Town Council has determined that the amendment of the Highland Municipal Code to Establish and Authorize a Highland Main Street Bureau, a section within the Redevelopment Department, to be an exercise of local authority consistent with the provisions of IC 37-7-4, IC 36-7-14 and IC 36-1-3 and necessary or desirable in the conduct of its affairs;

WHEREAS, The Highland Town Council has further determined that the amendment of the Highland Municipal Code to Establish and Authorize a Highland Main Street Bureau would further perfect the organization of the municipality and advance its ability to provide and manage economic development and redevelopment in the municipality; and

WHEREAS, It would be and is in the best interest of the Town of Highland to enact such an ordinance as an amendment to the Highland Municipal Code;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. The Highland Municipal Code is hereby amended by repealing section 14.15.020 in its entirety and then adding a new Section to be numbered 14.15.020, which shall read as follows:

§ 14.15.020 BOARD of DIRECTORS

(A) The Highland Main Street Bureau shall have a board of directors, which shall consist of not less than seven (7) members and not more than twenty-one (21) members, as follows:

- (1) The municipal executive shall appoint three (3) special constituency members, one of which shall be chosen from the membership of **the Highland Town Council**; one of which shall be chosen from the membership of the **Highland Economic Development Commission**; and one of which shall be chosen as a representative of the **Highland Chamber of Commerce**, from its membership or staff.
- (2) The municipal legislative body shall appoint up to seventeen (17) persons, who may be Highland residents, Highland business owners or operators, or those who are interested in the objects and purposes of the Main Street Bureau.
- (3) The Highland Redevelopment Commission shall ~~be members by virtue of their office,~~ appoint a member from the membership of the Redevelopment Commission.

(B) The clerk of the municipal legislative body shall certify members appointed by legislative body and the executive shall certify his appointments, ass attested by the clerk of the municipal legislative body. The President of the Redevelopment Commission shall certify the appointment made by the Redevelopment Commission, attested by the secretary of the Redevelopment Commission. The certificates shall be sent to and made a part of the records of the Town and the Redevelopment Department.

Section 2. The Highland Municipal Code is hereby amended by repealing section 14.15.030 in its entirety and then adding a new Section to be numbered 14.15.030, which shall read as follows:

§ 14.15.030 TERMS OF SERVICE and MEMBERSHIP EXPECTATIONS

(A) Each member selected under HMC 14.15.020 (A)(2) shall be appointed for a term of two (2) years. ~~and may not serve more than four years in any six year period.~~ Each member initially chosen under this ordinance, shall serve a term that expires on the first Monday of January following the appointment. Thereafter, appointments shall run from the date of appointments, for a period not to exceed two years, concluding on the first Monday of January of the second year after the year of the member's appointment. If there is a vacancy for any reason, then the term is for the balance remaining on the unexpired term of the vacating member.

(B) A member selected under HMC 14.15.020 (A)(1) or HMC 14.15.020 (A) (3) serves until his or her successor is appointed and qualified. Additionally, the term of office of a member who is appointed from the membership of the Town Council, ~~or~~ the Economic Development Commission, or the Redevelopment Commission is coextensive with the member's term of office on that body, unless the appointing authority appoints, ~~at its first regular meeting in any year,~~ another to serve. Any ~~original or a replacement~~ member is eligible for reappointment.

(C) Members serve without compensation, but may be reimbursed for reasonable expenses incurred in furtherance of the purposes and objectives of this ordinance. Reimbursements are subject to State and local law, and may be allowed by the Redevelopment Commission as that body allows other expenditures.

(D) A citizen member may not hold other elective or appointive office in municipal, county, or state government.

(E) All members of the Highland Main Street Bureau and its Board of Directors are expected to actively participate in activities of the organization and its board including but not limited to: (1) participation in meetings of the board; (2) supporting and encouraging the participation of others, such as business leaders, community leaders and other citizens, when appropriate; and (3) contribution of time, talent and information.

Section 3. The Highland Municipal Code is hereby amended by repealing section 14.15.040 in its entirety and then adding a new Section to be numbered 14.15.040, which shall read as follows:

14.15.040 MEMBERSHIP VACANCIES AND REMOVAL

(A) The appointing authority may remove a member from the board of directors for any reason. ~~All members appointed by either the municipal executive or the legislative body,~~ serve at the pleasure of the appointing authority.

(B) If a vacancy occurs among the appointed members of the board of directors, then the appointing authority shall appoint a member for the unexpired term of the vacating member.

Section 4. That all members who may be serving at the time of the passage and adoption of this ordinance may be reappointed as non-initial appointees.

Section 5. That any and all such ordinances in conflict with the provisions of this ordinance, are hereby repealed and have no further force or effect.

Section 6. This ordinance shall become and be in full force and effect from January 1, 2012 and thereafter upon its passage and adoption and its signature by the executive in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 10th day of December 2012. Consideration on same day or at same meeting of introduction attained 4 votes in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

Duly Ordained and Adopted this 10th day of December 2012 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Bernie Zemen, President (IC 36-5-2-10)

ATTEST:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

2. Proposed Ordinance No. 1529: An Ordinance Fixing and Establishing an Operating Reserve for Certain Operating Funds of the Municipality.

Councilor Novak moved the consideration of Ordinance No. 1528 at the same meeting of introduction. Councilor Vassar seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmatives and no negatives. The motion passed. Ordinance No. 1529 could be considered at the same meeting of its introduction.

Councilor Novak moved the passage and adoption of Ordinance No. 1529 at the same meeting of introduction. Councilor Herak seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmatives and no negatives. The motion passed. Ordinance No. 1529 was passed and adopted at the same meeting of its introduction.

The Clerk-Treasurer explained the importance of establishing these reserves to lower the cost of capital and to make less likely a temporary loan for cash flow (Tax anticipation warrant) would be needed. After its adoption, the Clerk-Treasurer thanked the Town Council for its action.

**TOWN of HIGHLAND
ORDINANCE NO. 1529**

AN ORDINANCE FIXING AND ESTABLISHING AN OPERATING RESERVE FOR CERTAIN OPERATING FUNDS OF THE MUNICIPALITY

WHEREAS, The Town Council is the fiscal and legislative body of the Town of Highland;

WHEREAS, IC 36-5-2-9 provides that the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, IC 36-1-3-4 provides that the powers units have under IC 36-1-3-4(b)(1) are listed in various statutes, further noting that these statutes do not list the powers that units have under IC 36-1-3-4 (b)(2); therefore, the omission of a power from such a list does not imply that units lack that power; and

WHEREAS, IC 36-1-3-4 further provides that a unit has all powers granted it by statute as well as all other powers necessary or desirable in the conduct of its affairs, even though not granted by statute;

WHEREAS, The Town Council has determined that it would be of great public benefit to establish and fix an operating reserve balance to be maintained for certain operating funds to stabilize operations as well as insulate and ameliorate the effects of tax caps, the economic cycle and other exigencies upon revenue collections;

WHEREAS, The Town Council has further determined that it would be of great public benefit to establish and fix an operating reserve balance to be maintained for certain operating funds to reduce the need for temporary loans to support cash flow, thereby reducing costs of operations;

WHEREAS, It would be and is in the best interest of the Town of Highland to enact an ordinance as an amendment to the Highland Municipal Code in order to further perfect the operation of the Town,

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the Highland Municipal Code be amended by adding a new Article, styled as Article III of Chapter 35.45 to read as follows:

Article III. Operating Reserves

3.45.210 Corporation General Fund Operating Reserve

That the reserve balance of the Corporation General Fund is hereby fixed to a recommended operating reserve amount, which represents a reserve level equivalent to five months of expenses;

3.45.215 Parks and Recreation General (Special Operating) Fund Operating Reserve

That the reserve balance of the Parks and Recreation General (Special Operating) Fund is hereby fixed to a recommended operating reserve amount, which represents a reserve level equivalent to five months of expenses;

3.45.220 Redevelopment General Fund Operating Reserve

That the reserve balance of the Redevelopment General Fund is hereby fixed to a recommended operating reserve amount, which represents a reserve level equivalent to four months of expenses;

3.45.225 Officers' duties regarding Operating Reserves

That the officers of the relevant and associated governing bodies with authority over the funds named herein, shall work in good faith to obtain and maintain the operating reserves prescribed by this ordinance to the extent possible;

3.45.225 Fiscal Officer's Authority and Duties regarding Operating Reserves

(A) The Clerk-Treasurer as municipal fiscal officer shall calculate the appropriate operating reserve balance each year for each fund described herein based upon the budget approved and adopted for the fiscal year to which the reserve is to apply.

(B) The Clerk-Treasurer is authorized and affirmed to take all such steps to carry out the purposes of this Article;

Section 2. That section 3.45.130 of the Highland Municipal Code be amended to read as follows:

3.45.130 Cumulative Capital Development Fund: Establishment and tax rate.

Section 3. That the provisions set forth in this ordinance shall be effective from January 1, 2013 and thereafter upon its passage and adoption as evidenced by the executive's signature and attested thereto by the Clerk-Treasurer, in the manner prescribed by IC 36-5-2-10(a) and I.C. 36-5-2-10.2.

Introduced and Filed on the 10th Day of December 2012. Consideration on same day or at same meeting of introduction sustained a vote of 4 in favor and 0 opposed, all pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 10th Day of December 2012, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, Town Council President

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer

3. **Proposed Ordinance No. 1530:** An Ordinance Amending the Highland Municipal Code Section 2.05.050 Dividing the Town into Districts for the Purpose of Conducting Elections of Town Council Members, pursuant to IC 36-5-2-4.1(g)(1), Repealing All Ordinances in Conflict Therewith, And Declaring an Emergency.

Councilor Herak introduced and filed the proposed ordinance No. 1530. There was no further action. The matter would be further reviewed at the next study session.

4. **Resolution No. 2012-54:** An Exigent Resolution Providing For The Transfer Of Appropriation Balances From And Among Major Budget Classifications In The Metropolitan Police Department in the Corporation General Fund As Requested By The Proper Officer And Forwarded To The Town Council For Its Action Pursuant To IC 6-1.1-18-6.

Councilor Novak moved the passage and adoption of Resolution No. 2012-54. Councilor Herak seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND
APPROPRIATION TRANSFER RESOLUTION
RESOLUTION NO. 2012-54**

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the METROPOLITAN POLICE DEPARTMENT of the CORPORATION GENERAL FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **Metropolitan Police Department of the Corporation General Fund**;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That it has been shown that certain existing unobligated appropriations of the **Metropolitan Police Department of the Corporation General Fund** which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

CORPORATION GENERAL FUND

Metropolitan Police Department

Reduce Account	#111.19 Sergeants Salaries	\$ 6,000.00
	#111.21 Patrolman Salaries	\$ 18,000.00
	#111.27 Specialty Pay	\$ 500.00
	<i>Total 300 Series Decreases</i>	<u>\$ 24,500.00</u>
Increase Account:	#210.01 Gasoline	\$ 18,000.00
	#210.04 Institutional Supplies	\$ 500.00
	#220.04 Vehicle Parts & Supplies	<u>\$ 6,000.00</u>
	<i>Total 200 Series Increases</i>	<u>\$ 24,500.00</u>
Total of All Fund Decreases:		\$24,500.00
Total of All Fund Increases:		\$24,500.00

DULY RESOLVED and ADOPTED this 10th Day of December 2012 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

5. **Resolution No. 2012-55:** A Resolution Confirming And Affirming Terms And Conditions Applicable To An Application For A Property Tax Abatement For Property Located At 9601, 9553, And 9545 Indianapolis Boulevard. Councilor Herak moved the passage and adoption of Resolution No. 2012-55. Councilor Novak seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The resolution was adopted.

It was noted that this resolution in essentially the same form was previously adopted. However, this resolution modifies the fee that is assessed the petitioner.

**TOWN OF HIGHLAND, INDIANA
RESOLUTION NO. 2012-55**

A RESOLUTION CONFIRMING and AFFIRMING TERMS AND CONDITIONS APPLICABLE TO AN APPLICATION FOR A PROPERTY TAX ABATEMENT FOR PROPERTY LOCATED AT 9601, 9553, AND 9545 INDIANAPOLIS BOULEVARD

Applicant: Baldi-Hoobyar Equities, Indiana, LLC

WHEREAS, Indiana Code 6-1.1-12.1 et seq.; amended, (the "Act") allows a partial abatement of property taxes attributable to "Redevelopment" or "Rehabilitation" activities in "Economic Revitalization Areas" as those terms are defined in the Act, and

WHEREAS, Property tax abatement, if approved, is applied as a deduction in the increase in assessed value that results from investment in new construction or rehabilitation of property; and

WHEREAS, On January 16, 2012, the Town Council approved **Declaratory Resolution No. 2012-07** and on January 30, 2012, the Highland Town Council adopted **Confirmatory Resolution No. 2012-10** designating an *Economic Development Revitalization Area* including 9601, 9553, 9545 Indianapolis Boulevard (**Exhibit A**); and

WHEREAS, An application for property tax abatement for the construction and expansion of an automobile dealership (the "Project") to be located on premises legally described as follows:

9601 Indianapolis Blvd.
Parcel #45-07-28-351-004.000-026
Legal Description: Hart's Acres 2nd Addition W. 300 ft. of S. 256.3 ft. of N. 1,270.7 ft. Bl. 1

9545 Indianapolis Blvd.
Parcel #45-07-28-351-005.000-026
Legal Description: Hart's Acres 2nd Addition S. 80.03 ft. of W. 300 ft. of N. 1,351 ft. and E. 125 ft. of W. 300 ft. of N. 1,369.05 ft. of Bl. 1 .603 Ac.

9553 Indianapolis Blvd.
Parcel # 45-07-28-351-006.000-026
Legal Description: Hart's Acres 2nd Addition W. 175 ft. os S. 116.40 ft. of N. 1,467.4 ft. of Block 1 .468 Ac.

in the Town of Highland, Lake County, Indiana a/k/a 9601, 9553, 9545 Indianapolis Boulevard (the "Real Estate") has been received from Baldi-Hoobyar Equities, Indiana, LLC, a copy of which is attached and incorporated herein by reference (**Exhibit B**); and

WHEREAS, Said application proposes a \$1,500,000.00 conversion of a facility, for a net estimated value upon completion of \$3,250,000; that would bring thirty (30) jobs to Highland with an estimated \$1,600,000.00 increase in annual payroll; and that may not proceed but for approval of tax abatement by the Town Council; and

WHEREAS, \$1,429,500.00 is the most recent assessed value of the property that is the subject of this resolution, and

WHEREAS, \$3,250,000.00 is the owner's estimated assessed value of the property upon completion of the Project; and

WHEREAS, The Real Estate is located within an Economic Revitalization Area within the Town of Highland; and

WHEREAS, The Act empowers the Town Council to approve a deduction as percentage of the increase in assessed value that results from investments in new construction or rehabilitation of property by following a hearing and confirmation of a Preliminary Resolution, provision of a public notice at least ten days before the date of a public hearing, conducting a public hearing and confirmation of a Final Resolution; and

WHEREAS, The Town Council adopted **Resolution 2012-43** fixing 7:00 PM, Monday, October 8, 2012, in the Council Chambers, Highland Town Hall, 3333 Ridge Road, Highland, Indiana, as the time and place for a public hearing for receiving testimony, remonstrances and objections from persons interested in or affected by the

proposed application for tax abatement and directed the publication of notice of said hearing in accordance with the requirements of applicable law and notice was published ten days prior to the public hearing; and

WHEREAS, Notice of the public hearing was given to taxing units consistent with statutory requirements of IC 6-1.1-12.1-3 (a) to provide a "Statement of Benefits" expected to be derived from the proposed application ten days prior to the public hearing; and

WHEREAS, Town of Highland has heretofore established a Economic Revitalization Area consistent with its guidelines to create a positive image for the town through well designed, high quality development; increase jobs and generate tax revenues through new development; encourage development of business opportunities for all; encourage private investment along the corridor; enhance district neighborhoods through increased well planned economic opportunities; and to aid in the elimination of incomplete or inappropriate land uses; and

WHEREAS, Real estate located at 9601, 9553, and 9545 Indianapolis Boulevard, Highland, Indiana continues to be undesirable for, or impossible for, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values of or prevent a normal development of property or use of property, and/or such real estate includes a facility or group of facilities that are technologically, economically, or energy obsolete and which such obsolescence may lead to a decline in employment and tax revenues; and

WHEREAS, In considering the application and statement of benefits submitted by the petitioner, the Town Council has considered the effective utilization of vacant urban land, the stabilization and conservation of neighborhoods, the rehabilitation and replacement of obsolete and deteriorated structures, improvements to the physical appearance of the Town, effective utilization of energy, avoidance of environmental harm and increases in employment and assessed value of property located within the Town; and

WHEREAS, The Town Council has previously affirmatively acted upon the application for tax abatement from Baldi-Hoobay Equities, LLC, a petitioner who seeks to invest, redevelop and rehabilitate property located at 9601, 9553, and 9545 Indianapolis Boulevard, a property located in the established Economic Revitalization Area, by its adoption of Resolution No. 2012-44;

WHEREAS, It was noted that there was the need for some technical corrections to Resolution No. 2012-44, including making a correction to the approved contribution of the petitioner; and,

WHEREAS, The Town Council desires now to re-affirm its earlier determination and to make the necessary technical corrections that Resolution No. 2012-44 requires,

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED, by the Town Council of the Town of Highland as follows:

Section 1. Having reviewed the designation application and statement of benefits as filed by the petitioner, pursuant to IC 6-1.1-12.1 et seq., and having conducted a public hearing on Monday, October 8, 2012 regarding this matter, the Town Council as the designating body for the Town of Highland hereby makes the following findings and determinations, pursuant to IC 6-1.1-12.1-3(b):

(A) That the Town Council finds and determines in the affirmative that the estimate of the value of the redevelopment or rehabilitation project located at **9601, 9553, and 9553 Indianapolis Boulevard, Highland**, consisting of construction costs of \$1,500,000.00 will yield an estimated (by owner) final assessed value of **\$3,250,000.00**, representing an estimated \$1,500,000.00 increase over the current assessed value of **\$1,429,500.00** is reasonable for projects of this nature;

(B) That the Town Council finds and determines in the affirmative that the estimate of thirty (30) individuals can be reasonably expected to result from the proposed redevelopment and rehabilitation;

(C) That the Town Council finds and determines in the affirmative that the estimate of a \$1,600,000.00 annual payroll with average salaries of \$53,333.33 per year for those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment or rehabilitation;

(D) That the Town Council finds and determines in the affirmative that all other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation;

(F) That the Town Council finds and determines in the affirmative that the totality of benefits from the increased private investment by the applicant within the Economic Revitalization Area is sufficient to justify the deduction authorized by this resolution.

Section 2. That **Resolution 2012-43** adopted by the Town Council on September 24, 2012, is hereby confirmed and the application for **property tax abatement** upon the *increase in assessed value* in consequence of new construction and expansion at 9601, 9553, and 9545 Indianapolis Boulevard, which is the subject of this resolution, is hereby approved for a period of time **not to exceed ten (10) calendar years**, according to the schedule

in IC 6-1.1-12.1-4(d)(10), subject to continuing compliance with the statement of benefits, IC 6-1.1-12.1 et seq., and the terms of this resolution;

Section 3. That pursuant to enabling authority provided at IC 6-1.1-12.1-2(i)(6), as a condition of approval for the deduction in assessed value, the applicant shall contribute **\$15,601.00** to the Town of Highland before permits are issued.

Section 4. The Clerk-Treasurer is authorized and directed to file a certified copy of this resolution, including a description of the real estate, with the Lake County Auditor, and such authorities as may be necessary to perfect this tax abatement authorization, pursuant to IC 6-1.1-12.1-3(d).

DULY RESOLVED and ADOPTED this 10th Day of December 2012 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

ATTEST:

Michael W. Griffin, Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

EXHIBIT A

Resolution No. 2012-10, A Resolution Designating and Confirming an Economic Development Revitalization Area for Redevelopment Area II for the Commercial Corridors which includes the Property Located at 9601, 9553, and 9545 Indianapolis Boulevard

TOWN OF HIGHLAND, INDIANA
RESOLUTION NO. 2012-10

A RESOLUTION CONFIRMING AN ECONOMIC REVITALIZATION AREA
COTERMINOUS And COEXTENSIVE WITH THE COMMERCIAL
CORRIDOR(S) II REDEVELOPMENT AREA

WHEREAS, Indiana Code 6-1.1-12.1 et seq.; amended, (the "Act") allows a partial abatement of property taxes attributable to "Redevelopment" or "Rehabilitation" activities and installation of new machinery and equipment in "Economic Revitalization Areas" as those terms are defined in the Act, and

WHEREAS, The Act provides that such Economic Revitalization Areas are areas within the Town which have:

"...become undesirable for, or impossible of, normal development, and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property", and

WHEREAS, The Act empowers the Town Council to designate Economic Revitalization Areas within the Town by following a procedure hearing, provision of a public notice at least ten days before the date of a public hearing, conducting a public hearing and confirmation of the Preliminary Resolution and a Final Resolution, and

WHEREAS, The Town Council adopted **Resolution 2012-07** fixing 7:00 PM, Monday, January 30, 2012 in the Council Chambers, Highland Town Hall, 3333 Ridge Road, Highland, Indiana, as the time and place for a public hearing for receiving remonstrances and objections from persons interested in or affected by the designation of a Economic Revitalization Area and directed the publication of notice of said hearing in accordance with the requirements of applicable law and notice was published ten days prior to the public hearing; and

WHEREAS, Notice of the public hearing was given to taxing units with a report consistent with statutory requirements of IC 6-1.1-12.1-3 (a) to provide a "Statement of Benefits" expected to be derived from the proposed Economic Revitalization Area ten days prior to the public hearing; and

WHEREAS, Having conducted the public hearing on Monday, January 30, 2012, in which the Town Council received evidence concerning the Economic Revitalization Area, including all remonstrances and objections from interested persons, the Town Council now desires to take appropriate action regarding the designation of an Economic Development Area (ERA), based upon that evidence, the Statement of Benefits and the Council's independent investigation;

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Town Council of the Town of Highland as follows:

Section 1. That the Town Council hereby finds and determines that designations of location(s) described in Exhibit A, known as the *Commercial Corridors Redevelopment Area* as an Economic Revitalization Area(s) is consistent with its guidelines, endeavoring to create a positive image for the town through well designed, high quality development; to increase jobs and generate tax revenues through new development; to encourage development of business opportunities for all; to encourage private investment on the several major public ways which are located within the Redevelopment Commercial Corridor II and are generally, Ridge Road, Indianapolis Boulevard, 45th Avenue and Cline Avenue; to enhance district neighborhoods through increased well planned economic opportunities; and to facilitate rehabilitation and expansion of the building at this location(s);

Section 2. That the Town Council hereby still further finds and determines as follows:

(a) That real estate located described in Exhibit A, known as the *Commercial Corridors Redevelopment Area* continues to be undesirable for, or impossible for, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values of or prevent a normal development of property or use of property, and/or such real estate includes a facility or group of facilities that are technologically, economically, or energy obsolete and which such obsolescence may lead to a decline in employment and tax revenues; and

(b) That the goal for a net increase of *two hundred to three hundred (200-300) full-time equivalent (FTE) jobs* as set forth in the *Statement of Estimated Benefits* associated with the ERA designation can reasonably be expected to result within the *Economic Revitalization Area* with average salaries of *\$ 30,000 to \$40,000* per year from private investment that would not occur but for a property tax abatement incentive; and

(c) That the goal for a *forty million dollar (\$40,000,000.00)* net increase in the assessed value of real estate can reasonably be expected to result within the *Economic Revitalization Area* from private investment that would not occur but for a property tax abatement incentive; and

(d) That the totality of the benefits expected increased private investment within the *Economic Revitalization Area* is sufficient to justify property tax deductions; and

(e) That in making the foregoing findings and determinations regarding designation of the real estate as an *Economic Revitalization Area*, the Town Council has considered the effective utilization of vacant urban land, the stabilization and conservation of neighborhoods, the rehabilitation and

replacement of obsolete and deteriorated structures, improvements to the physical appearance of the Town, effective utilization of energy, avoidance of environmental harm and increases in employment and assessed value of property located within the Town.

(f) That the foregoing findings of fact are true, all information required to be submitted has been submitted in proper form and all requirements for approval of property tax abatement within the Highland Redevelopment Area have been met.

Section 3. That Resolution 2012-07 adopted by the Town Council on January 16, 2012 is hereby confirmed and the real estate located and described in Exhibit A, known as the *Commercial Corridors Redevelopment Area*, is hereby declared, designated and found to be an *Economic Revitalization Area*.

Section 4. That a property owner or owners within the *Economic Revitalization Area* who seek tax abatement must submit an application on a form approved by the Redevelopment Commission and a "Statement of Benefits" (Form SB-1) prescribed by the Indiana Department of Local Government Finance before installing new equipment or before the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. The application will establish standards to be used for evaluating applications for tax deduction that have a reasonable relationship to development objectives and design standards of the Redevelopment Commission.

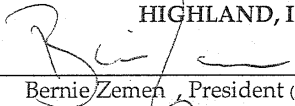
Section 6. That along with the application, an Application Fee shall be paid, hereby fixed in the amount of \$250.00 to defray actual processing and administrative costs and an Economic Development Fee, not to exceed 15% of the tax savings over the course of the tax abatement, shall be paid, all subject to law.

Section 7. That as part of the consideration of all abatement applications, the Town Council will conduct a public hearing before making its decision whether or not to approve a deduction. The Town Council may approve a deduction period up to ten (10) years.


Section 8. That the Clerk-Treasurer is authorized and directed to file a copy of this resolution, including a description of the real estate as contained in **EXHIBIT I**, with the Lake County Auditor.

DULY RESOLVED and ADOPTED this 30th Day of January 2012, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed. *chelan*

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA


Bernie Zemen, President (IC 36-5-2-10)

Attest:


Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 1-1-4-1(5); IC 36-5-6; IC 36-5-6-7)

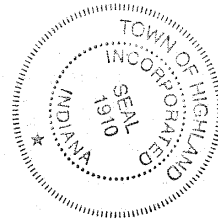


EXHIBIT B

Application for Tax Abatement from Baldi-Hoobyar Equities Indiana, LLC

TOWN OF HIGHLAND

3333 Ridge Road ♦ Highland, Indiana ♦ 219-972-7598 ♦ fax 219-972-5097

APPLICATION FOR TAX ABATEMENT

1. Company Name: PROPOSED - HIGHLAND VOLKSWAGEN - BUSINESS
BALDI-HOOPYAR EQUITIES INDIANA, LLC - REAL ESTATE
2. Address: 9601, 9545 & 9553 INDIANAPOLIS BLVD.
3. Email address: JHOOPYAR@VWORLAND.COM
4. Contact name and title: JOSEPH HOOPYAR BUSINESS - PRESIDENT
R/E MEMBER/MANAGER
5. Phone number: 708/906-6500
6. Fax number: 708/349-1242
7. Web site address (if available): _____
8. Brief description of business including SIC code and or principal business activity:
VOLKSWAGEN DEALER AUTO SALES & SERVICE
9. Legal description and address of project property (attach additional sheets, if Necessary):

10. Current uses and conditions of property:

TOYOTA DEALER AUTO SALES & SERVICE

11. Is the project an expansion or relocation?

EXPANSION

12. If the project is relocation, please identify the State, County and local jurisdiction that you are relocating from and why:

13. What is the project estimated start and completion date?

NOVEMBER 1, 2012

FEBRUARY 1, 2013

14. Type and amount of new investment:

Real Property:

Land: _____

Improvements: \$1.5 to \$2 MILLION - APPROX.

Personal Property:

Manufacturing equipment: _____

Research and development equipment: _____

15. Estimated tax benefits to the Town of Highland:

Real Property: _____

Personal Property: _____

16. Attach the following:

Exhibit A: Plats or maps of project area

Exhibit B: Drawings and photos

Exhibit C: Signage and landscape plans as applicable

17. Current number of employees in the Town: 0

18. Current number of employees in the State of Indiana: 0

19. Estimated number of construction jobs (if applicable): 30 EST.

20. Number of estimated new full and part-time jobs as a result of the project:

FIRST YEAR APPROX 30 TWO YEAR & BEYOND 40 TO 50

21. Attach Exhibit D: job descriptions and wage ranges

22. Estimated number of trucks per day (if applicable): _____

23. Attach Exhibit E: Letter of financial commitment

24. Number of years that the applicant is requesting tax abatement: 10 YEARS

25. Other incentives requested from the Town of Highland or State of Indiana:

Upon favorable review and passage by the Town Council and before permits are issued, the successful applicant will be required to contribute an amount of up to 15% of the total tax savings as provided through IC 6-1.1-12.1-1(i)(6) to the Town of Highland Economic Development Fund. The Town Council will determine the specific dollar amount at the time of final approval for tax abatement. Contributions to this fund shall be used for community and economic development purposes, and other public benefit as directed by the Town Council.

I affirm under penalties of perjury that the above information is true and correct.

(signed) _____

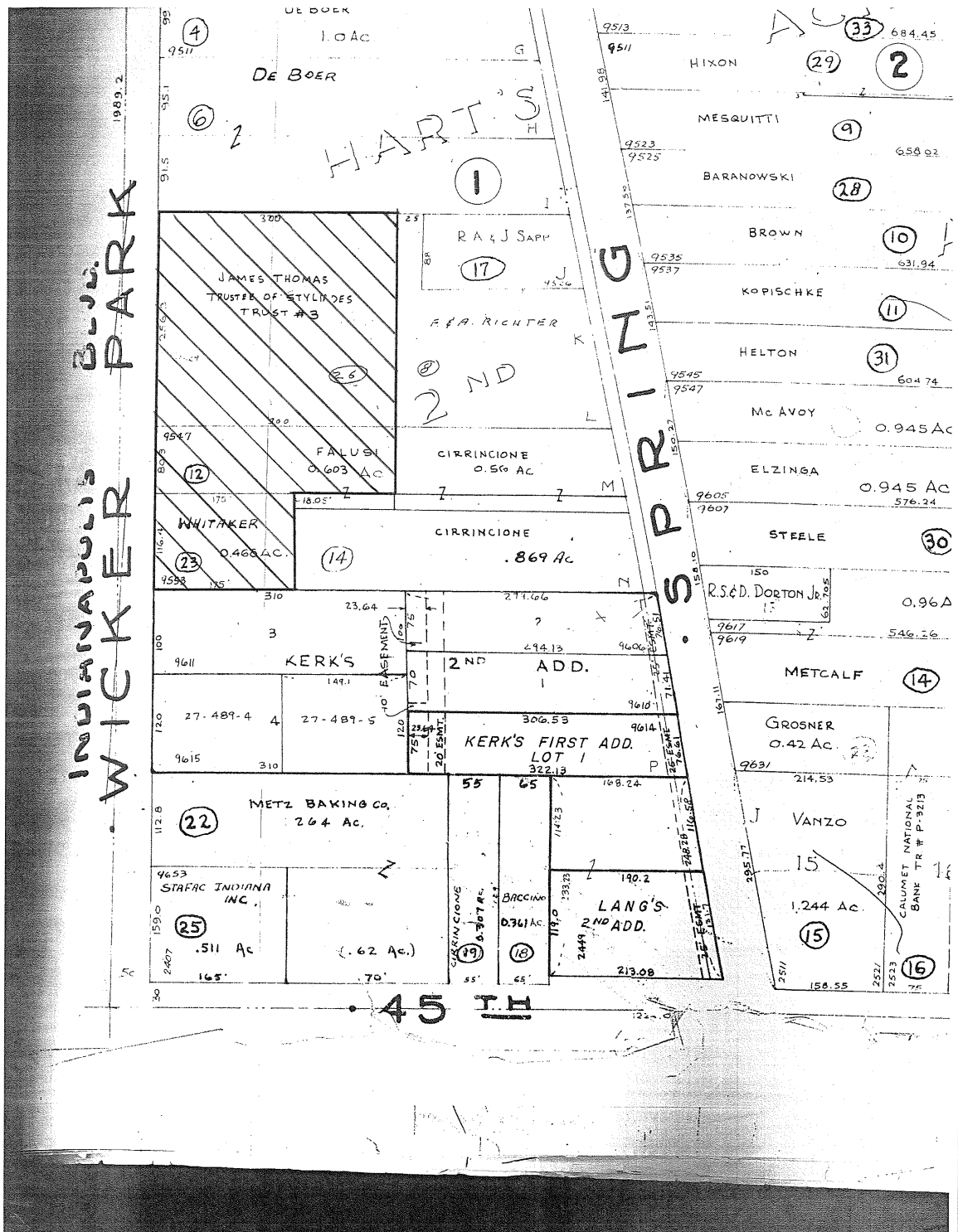
George Hooley

(Title) _____

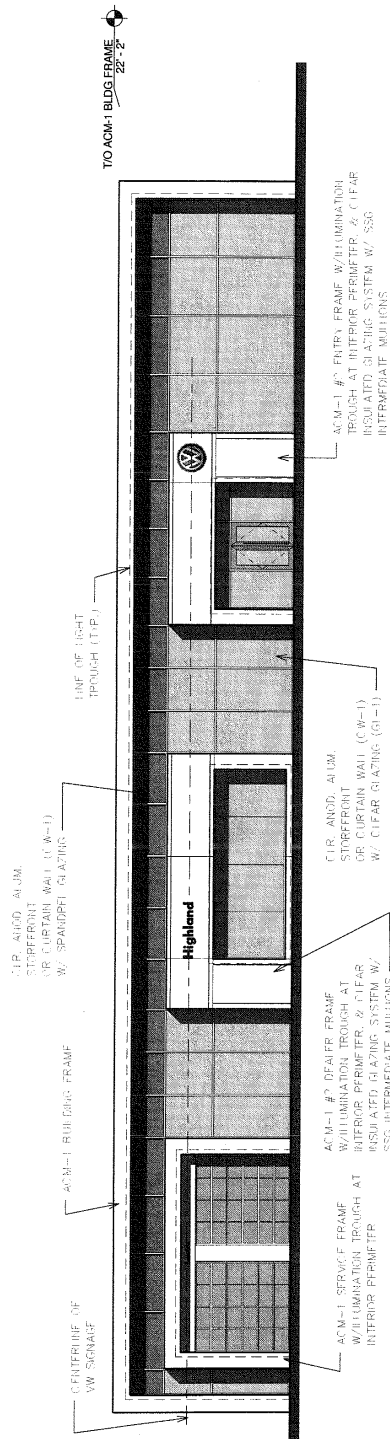
PRESIDENT

(Date) _____

SEPT. 19, 2012



PROPOSED PLANS FOR 9601, 9553, AND 9545 INDIANAPOLIS BOULEVARD



Volkswagen of Highland Front Elevation



SHEET NOTES
 SEE M21-M23 FOR MATERIAL SCHEDULE
 ALL ACM-1 JOINTS BLD BY SOROTEC

These drawings are for communication of design intent only.
 These drawings are not suited or intended for construction or fabrication.

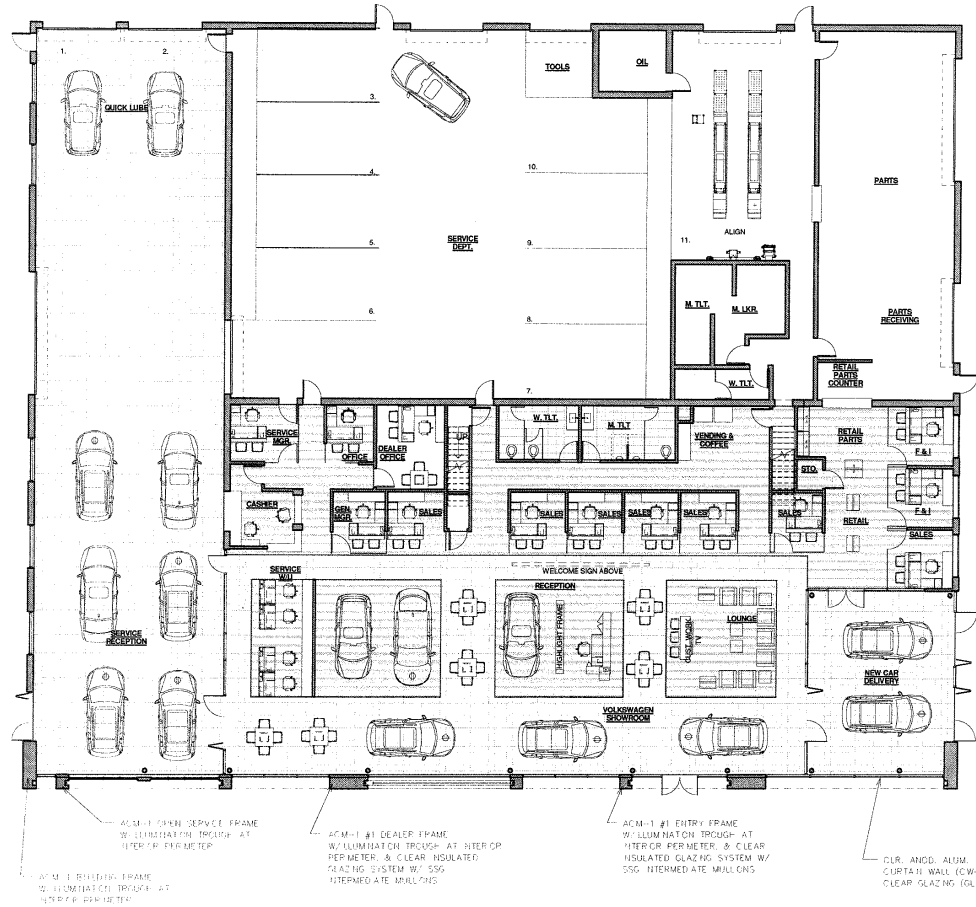
SCALE: 3/32" = 1'-0"

City/State: Highland, IN
 Project #: 12-672

Issue
 Design Survey Rev. 1



Date:
 9/17/12

A2.1



Volkswagen of Highland

GLASS LEGEND

-  FRAMELESS GLASS
-  CURTAIN WALL
- STOREFRONT

SHEET NOTES
SEE SHEETS M2.1 THROUGH M2.4 FOR MATERIAL SCHEDULES.
SEE F1.0-F1.4 FOR FIXTURE SCHEDULES.
ALL VEHICLES IN SHOWROOM TO HAVE FLUSH FLOOR MOUNTED POWER SUPPLY BELOW ENGINE COMPARTMENT.
IT IS RECOMMENDED THAT ELECTRIC VEHICLE CHARGING ACCESS IS PROVIDED IN SERVICE DEPT. AND SERVICE RECEPTION
EXACT FIXTURE SIZES, POWER REQUIREMENTS AND LOCATIONS TBD BY
MANUFACTURER SUPPLIERS
PROVIDE ROUND COLUMNS AT FRONT FACADE AS REQ'D IDEALLY ALIGNED
ON CENTER WITH WINDOW MULLIONS
BY AOR: FINISHES TBD BY ARCHITECT OF RECORD.
AOR TO VERIFY ACCESSIBILITY AND EGRESS REQUIREMENTS OF 2ND FLOOR

A1.1 Date Issue
 9/17/12 Design Survey Rev: 1

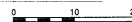
City/State: Highland, IN
Project #: 12-672

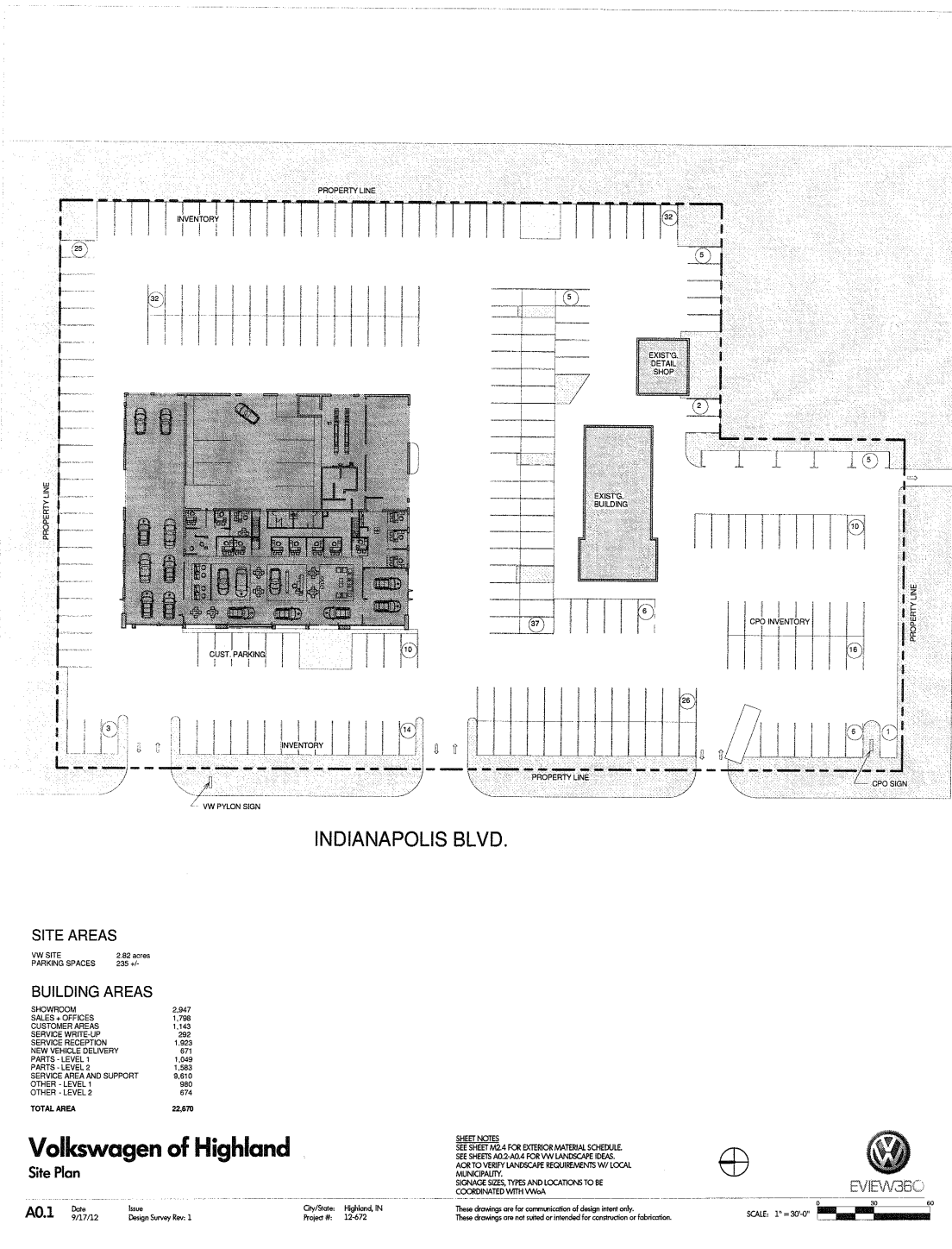
These drawings are for communication of design intent only.
These drawings are not suited or intended for construction or fabrication.

SCALE: $3/32" = 1'-0"$



VIEW360







**STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS**

State Form 51787 (R3 / 12-11)

Prescribed by the Department of Local Government Finance

20 PAY 20

FORM SB-1 / Real Property

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- ☐ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
☐ Eligible vacant building (IC 6-1.1-12.1-4.8)

INSTRUCTIONS:

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body **BEFORE** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. "Projects" planned or committed to after July 1, 1987, and areas designated after July 1, 1987, require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
- Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation, **BEFORE** a deduction may be approved.
- To obtain a deduction, application Form 322 ERA/RE or Form 322 ERA/VBD. Whichever is applicable, must be filed with the County Auditor by the later of: (1) May 10; or (2) thirty (30) days after the notice of addition to assessed valuation or new assessment is mailed to the property owner at the address shown on the records of the township assessor, if any, or the county assessor.
- Property owners whose Statement of Benefits was approved after June 30, 1991, must attach a Form CF-1/Real Property annually to the application to show compliance with the Statement of Benefits. [IC 6-1.1-12.1-5.1(b) and IC 6-1.1-12.1-5.3(f)]
- The schedules established under IC 6-1.1-12.1-4(d) for rehabilitated property and under IC 6-1.1-12.1-4.8(1) for vacant buildings apply to any statement of benefits approved on or after July 1, 2000, unless an alternative deduction schedule is adopted by the designating body (IC 6-1.1-12.1-17). The schedules effective prior to July 1, 2000, shall continue to apply to a statement of benefits filed before July 1, 2000.

SECTION 1 TAXPAYER INFORMATION					
Name of taxpayer PROPOSED HIGHLAND VOLKSWAGEN (BUSINESS) BALAI-HOBBYAR EQUITIES INDIANA, LLC (R/E)					
Address of taxpayer (number and street, city, state, and ZIP code) 9601, 9545, & 9553 INDIANAPOLIS BLVD. HIGHLAND, IN 46322					
Name of contact person JOSEPH HOBBYAR		Telephone number 708/906-6500		E-mail address JHOBBYAR@VWORLD.COM	
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body TOWN OF HIGHLAND				Resolution number	
Location of property		County LAKE		DLGF taxing district number	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) DEMOL & REBUILD FRONT OF BUILDING, ADD SERVICE RECEPTION & SERVICE EXPRESS ON NORTH SIDE OF BLDG. RE-PAVE PARKING SURFACE. RE-LAMP W/ ENERGY EFFICIENT SYSTEMS.				Estimated start date (month, day, year)	
				Estimated completion date (month, day, year)	
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current number 0	Salaries 0	Number retained 0	Salaries 0	Number additional APPROX 30	Salaries \$1,600,000
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT					
NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.			REAL ESTATE IMPROVEMENTS		
			COST		ASSESSED VALUE
Current values			\$1,750,000.		
Plus estimated values of proposed project			1.5 TO 2 MILLION		
Less values of any property being replaced			0		
Net estimated values upon completion of project			\$3,250,000 TO 3,750,000.		
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER					
Estimated solid waste converted (pounds)			Estimated hazardous waste converted (pounds)		
Other benefits					
SECTION 6 TAXPAYER CERTIFICATION					
I hereby certify that the representations in this statement are true.					
Signature of authorized representative Joseph Hobbyar			Title PRESIDENT		Date signed (month, day, year) 9-19-12

FOR USE OF THE DESIGNATING BODY														
<p>We have reviewed our prior actions relating to the designation of this Economic Revitalization Area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1, provides for the following limitations:</p>														
<p>A. The designated area has been limited to a period of time not to exceed _____ calendar years * (see below). The date this designation expires is _____.</p>														
<p>B. The type of deduction that is allowed in the designated area is limited to:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">1. Redevelopment or rehabilitation of real estate improvements</td> <td style="width: 10%; text-align: center;"><input type="checkbox"/> Yes</td> <td style="width: 10%; text-align: center;"><input type="checkbox"/> No</td> <td style="width: 30%;"></td> </tr> <tr> <td>2. Residentially distressed areas</td> <td style="text-align: center;"><input type="checkbox"/> Yes</td> <td style="text-align: center;"><input type="checkbox"/> No</td> <td></td> </tr> <tr> <td>3. Occupancy of a vacant building</td> <td style="text-align: center;"><input type="checkbox"/> Yes</td> <td style="text-align: center;"><input type="checkbox"/> No</td> <td></td> </tr> </table>			1. Redevelopment or rehabilitation of real estate improvements	<input type="checkbox"/> Yes	<input type="checkbox"/> No		2. Residentially distressed areas	<input type="checkbox"/> Yes	<input type="checkbox"/> No		3. Occupancy of a vacant building	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
1. Redevelopment or rehabilitation of real estate improvements	<input type="checkbox"/> Yes	<input type="checkbox"/> No												
2. Residentially distressed areas	<input type="checkbox"/> Yes	<input type="checkbox"/> No												
3. Occupancy of a vacant building	<input type="checkbox"/> Yes	<input type="checkbox"/> No												
<p>C. The amount of the deduction applicable is limited to \$ _____.</p>														
<p>D. Other limitations or conditions (specify) _____</p>														
<p>E. The deduction is allowed for _____ years* (see below).</p>														
<p>F. Did the designating body adopt an alternative deduction schedule per IC 6-1.1-12.1-17? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach a copy of the alternative deduction schedule to this form.</p>														
<p>We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.</p>														
<p>Approved (signature and title of authorized member of designating body)</p>	<p>Telephone number ()</p>	<p>Date signed (month, day, year)</p>												
<p>Attested by (signature and title of attester)</p>	<p>Designated body</p>													
<p>* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4.</p> <p>A. For residentially distressed areas, the deduction period may not exceed five (5) years.</p> <p>B. For redevelopment and rehabilitation or real estate improvements:</p> <ol style="list-style-type: none"> 1. If the Economic Revitalization Area was designated prior to July 1, 2000, the deduction period is limited to three (3), six (6), or ten (10) years. 2. If the Economic Revitalization Area was designated after June 20, 2000, the deduction period may not exceed ten (10) years. <p>C. For vacant buildings, the deduction period may not exceed two (2) years.</p>														

6. **Resolution No. 2012-56:** An Exigent Resolution Providing For The Transfer Of Appropriation Balances From And Among Major Budget Classifications In The Gaming Revenue Sharing Fund As Requested By The Proper Officer And Forwarded To The Town Council For Its Action Pursuant To IC 6-1.1-18-6.

Councilor Novak moved the passage and adoption of Resolution No. 2012-56. Councilor Vassar seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND
APPROPRIATION TRANSFER RESOLUTION
RESOLUTION NO. 2012-56**

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the GAMING REVENUE SHARING FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **Gaming Revenue Sharing Fund**;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That it has been shown that certain existing unobligated appropriations of the **Gaming Revenue Sharing Fund** which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

GAMING REVENUE SHARING FUND

Reduce Accounts:

#390.05 3500 Bock Garfield Avenue Reconstruction	\$ 9,958.72
#390.06 3500 Bock Garfield Avenue Recon. (Engineer)	<u>\$ 1,062.55</u>
<i>Total 300 Series Reductions</i>	<u>\$ 11,021.27</u>

Increase Account:

#430.09 Construction/Reconstruction of Streets	\$ 11,021.27
<i>Total 400 Series Increases</i>	<u>\$ 11,021.27</u>

Total of All Fund Decreases: **\$11,021.27**

Total of All Fund Increases: **\$11,021.27**

DULY RESOLVED and ADOPTED this 10th Day of December 2012 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

7. **Resolution No. 2012-57:** A Resolution Approving an Interlocal Cooperation Agreement between and among the Town of Griffith Metropolitan Police Department, Town of Highland Metropolitan Police Department, and the Town of Munster Metropolitan Police Department for participation in a violence reduction Initiative and Creating a Violence Reduction Initiative Task Force.

Councilor Herak moved the passage and adoption of Resolution No. 2012-57. Councilor Novak seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN COUNCIL RESOLUTION No. 2012-57

A Resolution Approving an Interlocal Cooperation Agreement between and among the Town of Griffith Metropolitan Police Department, Town of Highland Metropolitan Police Department, and the Town of Munster Metropolitan Police Department for participation in a violence reduction Initiative and Creating a Violence Reduction Initiative Task Force

WHEREAS, Indiana Code 36-1-7-1, et seq., allows local government entities to make the most efficient use of their powers by enabling them to mutually utilize services for the mutual benefit of each other; and

WHEREAS, Griffith, Highland and Munster are municipal corporations empowered by the aforesaid Interlocal Cooperation Act, as amended, with authority to contract with each other on a basis of mutual advantage so as to better provide public services and facilities at a shared cost; and

WHEREAS, Griffith, Highland and Munster desire to enter into an Interlocal Cooperation Agreement pursuant to IC 36-1-7-1, et seq., to provide for the ability to advance the purposes and objectives of the Violence Reduction Initiative Task Force Grant, as well as other related services for the mutual benefit of the participating agencies, and at a shared cost,

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Highland, Lake County as follows:

Section 1. The Interlocal Cooperation Agreement, a copy of which is adopted by incorporation and made a part of this resolution, between and among the Town of Griffith Metropolitan Police Department, Town of Highland Metropolitan Police Department, and the Town of Munster Metropolitan Police Department for participation in a violence reduction Initiative and Creating a Violence Reduction Initiative Task Force, is hereby authorized and approved in each and every respect;

Section 2. The purpose of this Agreement is to outline and advance the mission of the Violence Reduction Initiative Task Force, with such mission being to use concentrated efforts to proactively patrol areas experiencing a significant increase in violent criminal activity attributed to both gangs and narcotics;

Section 3. The proper officers of the Town Council are authorized to execute the agreement by affixing their signatures to the participant counterpart, which is an essential part of the agreement.

Duly Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 10th day of December 2012. Having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W.Griffin, IAMC/MMC/CPFA/CPFIM
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

**INTERLOCAL COOPERATION AGREEMENT
FOR THE VIOLENCE REDUCTION INITIATIVE TASK FORCE GRANT**

This Agreement, made and entered into between the **TOWN OF GRIFFITH, BY AND THROUGH ITS TOWN COUNCIL** (hereinafter referred to as "Griffith"), the **TOWN OF HIGHLAND, BY AND THROUGH ITS TOWN COUNCIL** (hereinafter referred to as "Highland"), and the **TOWN OF MUNSTER, AND BY AND THROUGH ITS TOWN COUNCIL** (hereinafter referred to as "Munster"). These entities are the participating agencies in the Violence Reduction Initiative Task Force established by this Agreement.

WHEREAS, Indiana Code 36-1-7-1, et seq., allows local government entities to make the most efficient use of their powers by enabling them to mutually utilize services for the mutual benefit of each other; and

WHEREAS, Griffith, Highland and Munster are municipal corporations empowered by the aforesaid Interlocal Cooperation Act, as amended, with authority to contract with each other on a basis of mutual advantage so as to better provide public services and facilities at a shared cost; and

WHEREAS, Griffith, Highland and Munster desire to enter into an Interlocal Cooperation Agreement pursuant to IC 36-1-7-1, et seq., to provide for the ability to advance the purposes and objectives of the Violence Reduction Initiative Task Force Grant, as well as other related services for the mutual benefit of the participating agencies, and at a shared cost.

NOW, THEREFORE, in consideration of the mutual terms, covenants and conditions set forth herein, Griffith, Highland and Munster hereby agree as follows, to wit:

Section 1. Purpose. The purpose of this Agreement is to outline the mission of the Violence Reduction Initiative Task Force. The mission of the Violence Reduction Initiative Task Force will be to use concentrated efforts to proactively patrol areas experiencing a significant increase in violent criminal activity attributed to both gangs and narcotics.

Section 2. Targeting Criteria. The Task Force will focus on data collected from the three participating agencies entering into this Agreement and establish pro-active result driven patrols focusing on the activities attributable to gangs, gang violence and the distribution of illegal narcotics.

Section 3. Organizational Structure. The Violence Reduction Initiative Task Force will be staffed by Griffith Police Department officers, Highland Police Department officers, and Munster Police Department officers, working in a scheduled, part-time capacity. These officers will serve in an overtime capacity, devoting time in addition to their regular shifts to participate in this initiative. This program will not lessen the degree of patrols in any one community but only serve to enhance the efforts of all three communities in designated target areas.

Section 4. Operational Guidelines. Funding for the task force is available from an existing grant through the Criminal Justice Institute. This funding will provide for overtime hours. Each task force officer is eligible to receive overtime at the rate of one and one-half times his or her regular hourly rate. Participating agencies will abide by their own Department's standard operating procedures and rules/regulations to govern all investigative procedures, report requirements, evidence handling, equipment use, and any and all day-to-day operations.

Section 5. Operating Equipment. The Task Force officers will utilize equipment issued to them by their own agencies, including but not limited to: patrol vehicles, firearms, radios, computers, etc.

Section 6. Forfeitures. Any forfeitures resulting from this initiative will be equally divided among the three participating agencies.

Section 7. Overtime Payments. Upon execution of this Agreement, Highland, subject to availability of the required funding, shall reimburse the three participating agencies for overtime payments made to the officers assigned to the Violence Reduction Initiative Task Force as follows:

- a. Requests for reimbursement will be made on a monthly basis and should be forwarded to Highland as soon as practical after the first of the month which follows the month for which reimbursement is requested. Such requests should be forwarded to Highland Police Commander George Georgeff or his designee for approval and processing.
- b. Overtime reimbursements will be made directly to the participating agencies by Highland. All overtime reimbursement payments are to be made by check.
- c. Overtime reimbursements will be calculated at the usual rate for which the individual officer's time would be compensated in the absence of this Agreement; however, said reimbursement per officer shall not exceed monthly and/or annual limits established by Highland.
- d. The number of officers assigned by the participating agencies and entitled to overtime reimbursement by Highland shall be approved by Highland in advance. Based upon the needs of the Task Force, this number may change periodically, upward or downward, as approved in advance by Highland.
- e. Prior to submission of any overtime reimbursement requests, each participating entity must prepare an official document setting forth the identity of each officer assigned to the Task Force, along with the regular and overtime hourly rates for each officers. Should any officer change during the year, a similar statement must be prepared regarding the new officer prior to submitting any overtime reimbursement request for the officer. The document should be sent to Highland Police Commander George Georgeff or his designee for review and approval.
- f. Each request for reimbursement will include the name, rank, I.D. number, overtime compensation rate, number of reimbursable hours claimed, and the dates of those hours for each officer for whom reimbursement is sought along with what the hours were used for. The request must be accompanied by a certification, signed by an appropriate supervisor of the participating agency, that the request has been personally reviewed, the information described in this paragraph is accurate and the personnel for whom reimbursement is claimed was assigned to the Task Force.
- g. Each request for reimbursement will include an invoice number and invoice date.
- h. Requests for reimbursement must be received by Highland no later than forty-five (45) days after the said month overtime was completed. For example, reimbursement claim forms for overtime completed in January 2012, must be received by Highland before March 15, 2012. Highland is not obligated to reimburse any request received after that time.

Section 8. Counterparts. This Interlocal Agreement may be executed in several counterparts, each of which when so executed shall be deemed to be an original, and such counterparts, together, shall constitute but one and the same instrument, which shall be sufficiently evidenced by any such original counterpart.

Section 9. Effective Date. This Agreement is effective upon signature of the parties and will remain in effect for the duration of the participating agencies' participation in the Task Force, contingent upon approval of necessary funding and unless terminated in according with the provisions herein. This Agreement may be modified at any time by written consent of the parties. This Interlocal Agreement may be terminated at any time upon mutual consent of the parties or unilaterally upon written notice from the terminating party to the other parties at least thirty (30) days prior to the termination date.

Section 10. Recording. Before this Agreement takes effect, it must be recorded with the Office of the Lake County Recorder. No later than sixty (60) days after it takes effect and is recorded, this Agreement must be filed with the State Board of Accounts for audit purposes, all pursuant to IC 36-1-7-6.

PARTICIPANT COUNTERPART

Effective Date. This Agreement shall be effective under Paragraph 1 of this Agreement after the same has been ratified by each of the participating agencies by Ordinance or Resolution all pursuant to I.C. 36-1-7-2.

IN WITNESS WHEREOF, the parties have caused this Interlocal Agreement to be executed in their names and on their behalf as of the date first written above.

**TOWN OF GRIFFITH, by and through its
Town Council**

By: _____
Glen Gaby, President

ATTEST

By: _____
George Jerome
Clerk-Treasurer

Participant Execution Date: _____

Approved as to Legality and Form:

Robert M. Schwerd, Attorney

PARTICIPANT COUNTERPART

Effective Date. This Agreement shall be effective under Paragraph 1 of this Agreement after the same has been ratified by each of the participating agencies by Ordinance or Resolution all pursuant to I.C. 36-1-7-2.

In Witness Whereof, the parties have caused this Interlocal Agreement to be executed in their names and on their behalf as of the date first written above.

**TOWN OF HIGHLAND, by and through its
Town Council**

By: _____
BERNIE ZEMEN, President

ATTEST:

By: _____
Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer

Participant Execution Date: _____

Approved as to Legality and Form:

Rhett L. Tauber, Attorney

PARTICIPANT COUNTERPART

Effective Date. This Agreement shall be effective under Paragraph 1 of this Agreement after the same has been ratified by each of the participating agencies by Ordinance or Resolution all pursuant to I.C. 36-1-7-2.

IN WITNESS WHEREOF, the parties have caused this Interlocal Agreement to be executed in their names and on their behalf as of the date first written above.

**THE TOWN OF MUNSTER, BY AND
THROUGH ITS TOWN COUNCIL**

By: _____
David Nellans, President

ATTEST

By: _____
David F. Shafer, IAMC/MMC
Clerk-Treasurer

Participant Execution Date: _____

Approved as to Legality and Form:

Eugene M. Feingold, Attorney

8. **Resolution No. 2012-58:** A Resolution Authorizing, Delegating and Instructing the Town Council President to Vote for members of the Board of Directors of Trust between the Town of Highland and the Indiana Association of cities and Towns, operating as a cooperative health benefit arrangement, pursuant to I.C. 5-10 et seq; and IC 36-1-3.

Councilor Herak moved the passage and adoption of Resolution No. 2012-58. Councilor Novak seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The resolution was adopted.

**Town of Highland
Resolution No. 2012-58**

A RESOLUTION AUTHORIZING, DELEGATING AND INSTRUCTING THE TOWN COUNCIL PRESIDENT TO VOTE FOR MEMBERS OF THE BOARD OF DIRECTORS OF TRUST BETWEEN THE TOWN OF HIGHLAND AND THE INDIANA ASSOCIATION OF CITIES AND TOWNS, OPERATING AS A COOPERATIVE HEALTH BENEFIT ARRANGEMENT, PURSUANT TO I.C. 5-10 ET SEQ; AND IC 36-1-3.

WHEREAS, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

WHEREAS, Title 5, Article 10, Chapters 2.2 and 2.6 enables a public employer to provide programs of group health insurance by purchasing policies of group insurance or establishing self-insurance programs;

WHEREAS, Title 5, Article 10, Chapter 8 further enables two or more public employer to establish a common and unified plan of group insurance for employees, including retired employees;

WHEREAS, The Town Council of the Town of Highland, previously approved the Town of Highland's participation and founding membership in a cooperative health benefit arrangement for the good of all qualified members of the Indiana Association of Cities and Towns authorizing entry into an Agreement and Declaration of Trust of the IACT Medical Trust;

WHEREAS, The cooperative health benefit arrangement for the good of all qualified members of the Indiana Association of Cities and Towns forming the IACT Medical Trust, is governed by a board of directors;

WHEREAS, All member cities and towns of the cooperative health benefit arrangement for the good of all qualified members of the Indiana Association of Cities and Towns forming the IACT Medical Trust, is empowered to participate in the election of the board of directors; and

WHEREAS, The Town Council of the Town of Highland now desires to delegate, and confer authority upon the Town Council President to complete and submit the official ballot on behalf of the Town of Highland,

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the Town of Highland is a founding member in the cooperative health benefit arrangement for the good of all qualified members of the Indiana Association of Cities and Towns operated as the IACT Medical Trust;

Section 2. That the Town of Highland as a founding member in the cooperative health benefit arrangement for the good of all qualified members of the Indiana Association of Cities and Towns operated as the IACT Medical Trust, is entitled to submit a ballot in the election of the Board of Directors of the Trust;

Section 3. That the Town Council of the Town of Highland now authorizes, delegates and instructs the Town Council President to complete the authorized ballot for the forthcoming election of members to the Board of Directors of the IACT Medical Trust, voting for no more than four nominees to serve on the Board for a three-year term, which commences January 1, 2013;

Section 4. That the Town Council of the Town of Highland also takes legislative notice that there are six nominees, of which only four may be elected, those nominees being Sue Essman, City of Angola Human Resources Director and current member, **Michael Griffin, Highland Town Clerk-Treasurer** and current member, Liz Oiler, City of Monticello Clerk-Treasurer, Tony Rowarski, City of Lafayette Mayor and current member, Sharon Swihart, City of Valparaiso Clerk-Treasurer, and David Wood, City of Mishawaka and current member;

Section 5. That the Town Council of the Town of Highland further instructs the Town Council President to select the Town Clerk-Treasurer and three other nominees for a term on the Board of Directors, and submit the completed ballot on or before the deadline of Friday, December 21, 2012;

DULY RESOLVED AND ADOPTED this 10th Day of December 2012, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

ATTEST:

**Michael W. Griffin, IAMC/MMC/CPFA/CPFIM
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)**

9. **Works Board Order No. 2012-45:** An Order for the Temporary CLOSING of Municipal Building at the Municipal Building on Monday, December 31, 2011 for Year-end Fiscal and Records Administration Tasks.

Councilor Novak moved the passage and adoption of Works Board Order No. 2012-45. Councilor Vassar seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The resolution was adopted.

**The Town of Highland
Board of Works
Order of the Works Board No. 2012-45**

AN ORDER for the TEMPORARY CLOSING OF MUNICIPAL BUILDING at the
MUNICIPAL BUILDING on MONDAY, DECEMBER 31, 2011 FOR YEAR-END FISCAL AND RECORDS ADMINISTRATION TASKS

Whereas, The Town Council has been reliably advised that owing to the desire to ensure completion of several tasks associated with year-end fiscal and records administration, it may be advisable to reduce public access hours to the municipal building while maintaining a scheduled workday;

Whereas, Pursuant to IC 36-1-24(3), the Town Council is also the Works Board for the Town of Highland and governs the hours and other matters related to the Town Hall;

Whereas, The Town Council now desires to modify the access hours of the Highland Municipal Building on Monday, December 31, 2012;

Now Therefore be it hereby Ordered by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That the usual hours of **public access** at the administrative and associated offices (non-public safety) at the Highland Municipal Building on **Monday, December 31, 2012**, are hereby fixed at **8:30 a.m. to 1:30 p.m.** but the usual hours of operation or the scheduled workday for employees are unchanged;

Section 2. That the affected department heads and the Clerk-Treasurer shall carry out the purposes of this order, which is to provide an opportunity for in-service training for administrative, clerical and other workers of the municipality;

Section 3. That the Clerk-Treasurer will take steps by appropriate media release to give notice of the subject of this order;

Section 4. That this order shall be effective on and from its passage and adoption by the works board;

Be it so Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 10th day of December 2012 having passed by a vote of 4 in favor and 0 opposed.

**WORKS BOARD of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, **IAMC/MMC/CPFA/CPFIM**
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

10. Action to reschedule the standing meeting of the Town Council from December 24, 2012 to December 28, 2012.

Councilor Herak moved that the Regular Plenary Meeting of December 24, 2012 be rescheduled for Friday, December 28, 2012, with a study session to begin at 6:30 p.m. and the plenary business meeting to begin at 7:00 p.m. Councilor Vassar seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The regular plenary business meeting was rescheduled.

Councilor Konnie Kuiper arrived at 7:20 p.m.

11. Action to approve pay for employee at higher than starting pay for the range of the position, pursuant to Section 2 (a) of Ordinance No. 1511 the Wage and Salary Ordinance, as amended. The Public Works Director wishes to increase the pay of a part-time laborer working as custodian from the starting pay of \$7.25 per hour to \$9.00 per hour.

Councilor Vassar moved to authorize the pay increase from \$7.25 per hour to \$9.00 per hour. Councilor Novak seconded. Upon a roll call vote, there were four affirmatives, no negatives and one abstention. With Councilors Herak, Vassar, Novak and Zemen voting in the affirmative and Councilor Kuiper abstaining, the motion passed. The higher pay was approved.

12. Action to approve purchase of up to one-week of vacation time in lieu of time off, pursuant to Section §5.02.09 of the Compensation and Benefits Ordinance.

Metropolitan Police Chief Hojnicky is requesting authorization for purchase two days of vacation time from Officer G. Cox in the amount of \$433.00

Councilor Kuiper moved to authorize the purchase of two days of vacation time from the named officer. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The purchase of two days of vacation time was permitted.

With leave from the Town Council, Councilor Novak urged the Town Council to revisit this policy perhaps to modify it.

Comments from the Town Council Members
(For the Good of the Order)

- **Councilor Mark Herak:** *Park and Recreation Board Liaison • Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Park and Recreation Board.*

Councilor Herak expressed condolences to Paul Doherty and his family on the recent passing of Paul's wife Betty. Paul Doherty served as the sixth Clerk-Treasurer from 1980 through 1992. He also served 12 years on the Highland Town Council.

Councilor Herak recognized the Parks and Recreation Superintendent who provided a cursory survey of park programs reminding all of the holiday house decorating contest and the special promotion of the Parks and Recreation Department waiving the initiation fees for new members enrolling for the Fitness Center.

Councilor Herak acknowledged the Public Works Director reported that he recently had occasion to visit Minneapolis Minnesota, and commented on that city's "different approach" to snow plowing.

- **Councilor Dan Vassar:** *•Redevelopment Commission Liaison.*

Councilor Vassar recognized the Redevelopment Director who offered a cursory overview of on-going redevelopment activities, the status of the facade improvement program and announced that a Construction Tech Student from Purdue University Calumet would be serving an internship with the Redevelopment Department.

- **Councilor Konnie Kuiper:** *• Fire Department, Liaison • Town Board of Metropolitan Police Commissioners Liaison • Chamber of Commerce Liaison.*

Councilor Kuiper acknowledged the Police Chief who reported on the Town's formation of a violent crime task force as an interlocal cooperation initiative. *(The agreement was approved by the Town Council this evening for Highland.)*

Councilor Kuiper acknowledged the Fire Chief who offered a summary of Departmental activities.

- **Councilor Brian Novak:** *Advisory Board of Zoning Appeals, Liaison • Traffic Safety Commission Member • Northwestern Indiana Regional Planning Commission member • Lake County Solid Waste Management District Board Member.*

Councilor Novak acknowledged the Metropolitan Police Chief for comment on activities of the Traffic Safety Commission.

With leave from the Town Council, Councilor Novak engaged in a colloquy with the Building Commissioner regarding the status of the former Chela's Restaurant located on 45th Avenue in Highland. The colloquy included a discussion of the progress on a demolition action upon the property.

- **Councilor Bernie Zemen:** *Town Executive • Chamber of Commerce Liaison • Police Pension Board Chairman • Plan Commission member • Liaison to the Board of Waterworks Directors.*

Council President Zemen commented on the recent Municipal Employees Holiday Employees' Awards and Dinner Dance, conducted Saturday, December 8, 2012 at the St. James Hall.

Payment of Accounts Payable Vouchers. There being no comments from the public, Councilor Novak moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period November 27, 2012 through December 10, 2012 as well as the Payroll Dockets for the paydays of November 2 and November 16, 2012. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors were allowed and the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$249,378.99; Motor Vehicle Highway and Street (MVH) Fund, \$32,169.87; Law Enforcement Training and Supply Fund, \$920.12; FSA Agency Fund, \$1,293.00; Insurance Premium Fund, \$143,256.11; Gasoline Agency Fund, \$1,562.30; Information and Communications Technology Fund, \$6,681.45; Solid Waste District Grant Fund, \$3,803.52; Civil Donation Fund, \$5.52; Special Events Non-reverting Fund, \$150.00; Police Pension Trust Fund (1925 Law), \$62,024.33; General Improvement Fund, \$17.00; Traffic Violations and Law Enforcement Agency Fund, \$13,836.50; Sexual Predator Grant Fund, \$2,794.18; Gaming Revenue Sharing Fund, \$86,151.56; Corporation Capital Fund, \$26,683.25; Payroll Fund, \$3.99. Total: \$630,731.69.

Payroll Docket, payday of November 2, 2012:

Council Boards and Commissions, \$0.00; Office of the Clerk-Treasurer, \$11,963.11; Building and Inspection Department, \$7,094.92; Metropolitan Police Department, \$91,829.18; Fire Department, \$2,965.58; Public Works Department (Agency), \$56,110.20; and Police Pension Trust Fund (1925 Act), \$0.00; Total: \$169,962.99.

Payroll Docket, payday of November 16, 2012:

Council Boards and Commissions, \$0.00; Office of the Clerk-Treasurer, \$12,383.30; Building and Inspection Department, \$6,578.25; Metropolitan Police Department, \$105,405.71; Fire Department, \$2,949.21; Public Works Department (Agency), \$57,814.40; and Police Pension Trust Fund (1925 Act), \$0.00; Total: \$185,130.87.

Adjournment. Councilor Vassar moved that the plenary meeting be adjourned. Councilor Herak seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, December 10, 2012 was adjourned at 7:37 O'clock p.m. No study session followed the plenary meeting.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM
Clerk-Treasurer